

Senate Journal

First Regular Session of the Forty-ninth Legislature of the State of Oklahoma

Thirty-seventh Legislative Day, Thursday, April 3, 2003

The Senate was called to order by Senator Rozell.

Roll Call:

Present: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson and Williams.—44.

Excused: Ford, Taylor and Williamson.—3.

Vacancy: District 7.—1.

Senator Rozell declared a quorum present.

The prayer was offered by Reverend Craig Christina, First Baptist Church, Duncan, the guest of Senator Lawler.

REPORT OF ENGROSSED AND ENROLLED MEASURES

HBs 1001, 1059, 1083, 1139, 1385, 1415, 1445, 1455, 1503, 1572, 1675, 1676 and **1721** were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

SB 645 was correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SR 12 was correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

GENERAL ORDER

HB 1065 by McCarter et al of the House and Crutchfield of the Senate was called up for consideration.

Senator Crutchfield asked that **HB 1065** be laid over temporarily, which was the order.

HB 1065 remains on General Order.

INTRODUCTION

Senator Robinson introduced his guest, Brayden Pogson to the Senate. Senator Robinson asked unanimous consent, which was granted, that Brayden be named a Honorary Senator for this legislative day.

GENERAL ORDER

HB 1150 by Miller (Ray) of the House and Milacek of the Senate was called up for consideration.

Senator Milacek moved that **HB 1150** be advanced, which motion was declared adopted.

THIRD READING

HB 1150 was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson and Williams.--42.

Excused: Ford, Laughlin, Leftwich, Taylor and Williamson.--5.

Vacancy: District 7.--1.

The bill passed.

HB 1150 was properly signed and ordered returned to the Honorable House.

EXECUTIVE NOMINATION

The following executive nomination has been approved by the committee named:

Warren, Pamela M., Edmond, to the Director of Central Services, to serve at the pleasure of the Governor, succeeding herself. (General Government Committee) Motion to confirm made by Senator Johnson.

Motion to confirm the above-named executive nomination was adopted upon roll call as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson and Williams.--44.

Excused: Ford, Taylor and Williamson.--3.

Vacancy: District 7.--1.

GENERAL ORDER

HB 1800 by Carey and Askins of the House and Monson of the Senate was called up for consideration.

Senator Monson moved that **HB 1800** be advanced, which motion was declared adopted.

THIRD READING

HB 1800 was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson and Williams.--44.

Excused: Ford, Taylor and Williamson.--3.

Vacancy: District 7.--1.

The bill passed.

HB 1800 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1683 by Blackburn of the House and Monson of the Senate was called up for consideration.

Senator Monson moved that **HB 1683** be advanced, which motion was declared adopted.

THIRD READING

HB 1683 was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson and Williams.--43.

Excused: Ford, Laughlin, Taylor and Williamson.--4.

Vacancy: District 7.--1.

The bill passed.

HB 1683 was properly signed and ordered returned to the Honorable House.

MESSAGES FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 1107, 1266, 1556** and **1654**.

The above-numbered enrolled measures were, after fourth reading, properly signed and ordered returned to the Honorable House.

Advising passage of and transmitting for consideration Engrossed **HCRs 1008** and **1013**.

HCR 1008 – By Lindley, Adair, Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, DeWitt, Deutschendorf, Dorman, Easley, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Greenwood, Hamilton, Harrison, Hastings, Hefner, Hiett, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lerblance, Liotta, Maddux, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, Oneal, Paulk, Perry, Peters, Peterson, Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith (Dale), Smith (Hopper), Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright and Young of the House and Cain of the Senate.

A Concurrent Resolution commending and applauding the accomplishments of Oklahoma's distinguished scientists; declaring the month of April 2003 as Genetics Month; and directing distribution.

HCR 1013 – By Eddins and Claunch of the House and Dunlap, Capps, Kerr and Aldridge of the Senate.

A Concurrent Resolution approving the transfer of certain real and personal property under the jurisdiction of the Oklahoma Tourism and Recreation Commission to certain governmental entities; describing the property; making the transfer subject to certain authority and requirements; and providing for distribution.

The above-numbered measures were read the first time.

MESSAGE FROM THE HOUSE HAs TO SENATE BILLS

Advising passage of and returning the following engrossed bills as amended:

SB 28
SB 29
SB 30
SB 31
SB 66
SB 67
SB 68
SB 69
SB 288
SB 688
SB 696

SB 727 - coauthored by Sullivan, Worthen of the House

House amendments were read on the above-numbered bills.

GENERAL ORDER

HB 1065 was called up for further consideration.

Senator Crutchfield moved that **HB 1065** be advanced, which motion was declared adopted.

THIRD READING

HB 1065 was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Aldridge, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson and Williams.--41.

Nay: Branan and Myers.--2.

Excused: Ford, Laughlin, Taylor and Williamson.--4.

Vacancy: District 7.--1.

The bill and emergency passed.

HB 1065 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1329 by Perry of the House and Coffee of the Senate was called up for consideration.

Senator Coffee moved that **HB 1329** be advanced, which motion was declared adopted.

THIRD READING

HB 1329 was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson and Williams.--44.

Excused: Ford, Taylor and Williamson.--3.

Vacancy: District 7.--1.

The bill and emergency passed.

HB 1329 was properly signed and ordered returned to the Honorable House.

**UNANIMOUS CONSENT REQUEST
DIRECT TO CALENDAR**

Senator Coffee asked unanimous consent to suspend Rule 5-4 and refer **HCR 1007** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

HCR 1007 by Sullivan and Adair of the House and Coffee of the Senate was called up for consideration.

Senators Capps, Pruitt and Myers asked to coauthor **HCR 1007**, which was the order.

HCR 1007 was adopted upon motion of Senator Coffee and properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 1640 by Case of the House and Coffee of the Senate was called up for consideration.

Senator Coffee moved that **HB 1640** be advanced, which motion was declared adopted.

THIRD READING

HB 1640 was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crutchfield, Dunlap, Easley, Fair, Fisher, Gumm, Harrison, Helton, Hobson, Horner, Johnson, Kerr, Laster, Laughlin, Lawler, Leftwich, Littlefield, Maddox, Milacek, Monson, Morgan, Myers, Nichols, Price, Pruitt, Rabon, Reynolds, Riley, Robinson, Rozell, Shurden, Smith, Snyder, Wilcoxson, Wilkerson and Williams.--44.

Excused: Ford, Taylor and Williamson.--3.

Vacancy: District 7.--1.

The bill passed.

HB 1640 was referred for engrossment.

MESSAGES FROM THE HOUSE

Advising passage of and returning the following Engrossed bills:

SB 292 - coauthored by Braddock of the House

SB 454 - coauthored by Nance, Perry of the House

SB 495

SB 750

The above-numbered measures were referred for enrollment.

Advising concurrence in **SAs** to and passage of Engrossed **HB 1279**.

Advising fourth reading of and transmitting for signature Enrolled **HB 1278**.

The above-numbered enrolled measure was, after fourth reading, properly signed and ordered returned to the Honorable House.

Advising fourth reading of and returning Enrolled **SB 645**.

The above-numbered enrolled measure was referred to the Governor.

EXECUTIVE NOMINATIONS

The following executive nominations were read and referred to committee as indicated:

Allen, Greg, Enid, as a member of the Oklahoma Science and Technology Research and Development Board - Aerospace and Technology

Blair, Wendell Ray, Tishomingo, as a member of the Board of Regents of Murray State College - Education

Curl, Sam, Stillwater, as a member of the Oklahoma Science and Technology Research and Development Board - Aerospace and Technology

McPherson, Frank, Oklahoma City, as a member of the Oklahoma Science and Technology Research and Development Board - Aerospace and Technology

Miles-Scott, Gayle P., Oklahoma City, as a member of the State Board of Education - Education

Wetzel, Thomas Sterling, Stillwater, as a member of the Oklahoma Student Loan Authority - Education

White, Ronald Hugh, Oklahoma City, as a member of the Oklahoma State Regents for Higher Education - Education

Senator Monson moved that when the clerk's desk is clear, the Senate stand adjourned to convene Monday, April 7, 2003, at 1:30 p.m., which motion prevailed.

COMMITTEE REPORTS

The following were reported by the committees named, ordered printed and placed on the Calendar:

DO PASS:

HB 1034 – Appropriations, remove Stipe and substitute Helton as principal Senate author and coauthored by Gumm of the Senate

HB 1086 – Appropriations

HB 1280 – Appropriations

HB 1299 – Commerce

HB 1397 – Appropriations, coauthored by Aldridge, Gumm, Helton, Horner, Kerr, Lawler, Milacek, Monson, Robinson of the Senate

HB 1492 – Tourism and Wildlife

HB 1493 – Tourism and Wildlife

HB 1562 – Appropriations, coauthored by Lawler of the Senate

HB 1565 – Tourism and Wildlife

HCR 1004 – Appropriations, coauthored by Helton, Milacek of the Senate

HCR 1005 – Appropriations, coauthored by Helton, Milacek of the Senate

DO PASS, As Amended:

CS for **HB 1008** – Appropriations

HB 1039 – Appropriations

CS for **HB 1106** – Appropriations

CS for **HB 1313** – Appropriations

CS for **HB 1326** – Appropriations, remove Nichols and substitute Smith as principal

Senate author

HB 1335 – Energy, Environment and Communications

CS for **HB 1353** – Appropriations

CS for **HB 1359** – Appropriations

HB 1380 – Commerce

HB 1396 – Appropriations, coauthored by Gumm, Helton, Horner, Kerr, Milacek,

Monson, Myers of the Senate

HB 1419 – Tourism and Wildlife

CS for **HB 1430** – Appropriations, coauthored by Lawler, Monson of the Senate

HB 1442 – Appropriations, coauthored by Lawler of the Senate

CS for **HB 1475** – Energy, Environment and Communications

CS for **HB 1478** – Appropriations, coauthored by Gumm of the Senate

CS for **HB 1484** – Appropriations

CS for **HB 1522** – Appropriations

CS for **HB 1559** – Appropriations, remove Williams and substitute Leftwich as principal Senate author and coauthored by Williams of the Senate

HB 1566 – Tourism and Wildlife

CS for **HB 1569** – Energy, Environment and Communications

HB 1570 – Appropriations, coauthored by Rabon of the Senate

CS for **HB 1577** – Appropriations

HB 1592 – Energy, Environment and Communications

CS for **HB 1619** – Appropriations, coauthored by Gumm of the Senate

CS for **HB 1623** – Appropriations, coauthored by Gumm of the Senate

CS for **HB 1633** – Appropriations

HB 1663 – Tourism and Wildlife

HB 1705 – Energy, Environment and Communications

HB 1713 – Appropriations

HB 1738 – Energy, Environment and Communications

CS for **HB 1742** – Energy, Environment and Communications

CS for **HB 1767** – Appropriations, coauthored by Williams of the Senate

HB 1770 – Commerce

CS for **HB 1784** – Appropriations, remove Stipe and substitute Shurden as principal Senate author

HB 1801 – Appropriations, coauthored by Lawler of the Senate

HJR 1024 – Appropriations

Pursuant to the Monson motion, the Senate adjourned at 9:45 a.m. to meet Monday, April 7, 2003, at 1:30 p.m.